

REMARKS

This Amendment and Response is intended to be fully responsive to the Office Action dated October 20, 2004. In that Office Action, the Specification was objected to due to the use of the term "invention." Claims 15-20 were withdrawn from consideration after making the restriction requirement final. Claims 1 and 7 were objected to due to typographical errors. Claims 12-14 were rejected under 35 U.S.C. §112 as being indefinite. Finally, claims 1-6 and 12-14 were rejected under 35 U.S.C. § 102(b) as being anticipated over U.S.P.N. 1,681,595 to Ray, while claims 7-11 were noted as allowable.

In this Amendment and Response, claims 15-20 have been canceled and claims 1, 4, 7 and 12-14 have been amended. No claims have been added. Reexamination and reconsideration of the above rejections and objections are respectfully requested in light of the above amendments and these remarks.

Specification

The Section heading for the Abstract has been amended to substitute the word "Disclosure" for "Invention."

Withdrawn Claims

In response to the final restriction requirement, and the withdrawal of claims 15-20 from consideration, Applicant hereby cancels claims 15-20 without prejudice to assert those claims in a later divisional application.

Claim Objections

Claims 1 and 7 were objected to because of informalities. Amendments to claims 1 and 7 have been made as set forth above to improve their form. It is believed that the above amendments obviate these claim objections, and therefore, the Applicant respectfully requests withdrawal of same.

Claim Rejections - 35 U.S.C. § 112

Claims 12-14 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 12-14 are hereby amended to improve their form. In light of these amendments, it is believed that the rejections to these claims under 35 USC §112 have been obviated. Therefore, the Applicant respectfully requests withdrawal of these rejection.

Claim Rejections - 35 U.S.C. § 102

Claims 1-6 and 12-14 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S.P.N. 1,681,595 to Ray (hereinafter “Ray”). Applicant respectfully traverses the § 102(b) rejections since the Ray patent does not disclose each of the limitations of independent claim 1, particularly as that claim has been amended above.

The pending claims relate to a fabric display having a support arm and a separate fabric arm that is fixed at one end to the support arm and that is free at its opposing end to allow a user to slide a fabric sheet between the support arm and the fabric arm and then drape the fabric sheet over the fabric arm without supporting the fabric sheet on or against the support arm. Indeed, in one embodiment, the support arm supports two separate fabric arms (one on each side of the support arm). Each fabric arm includes a reverse bend and a bend arm to further aid in displaying the fabric sheet (i.e., a leading edge of the fabric sheet may be bent around the bend arm to display a clean “roll edge” of the fabric and prevent users from viewing the more unattractive rear surface of the fabric sheet or a “salvage edge”). However, the bend arm portion of the fabric arm (including the reverse bend at the end of the fabric arm) is not fixedly attached to the support arm since a user must be able to insert a fabric sheet between the two arms and then drape the fabric sheet over the fabric arm. In those cases where the fabric sheet includes a loop along a top edge (as shown in FIGS. 5-7), the reverse bend at the end of the fabric arm is inserted through the loop and the entire fabric sheet is slid over the fabric arm (past the reverse bend) before sliding the leading edge of the fabric sheet back around the reverse bend as shown in FIG. 7. However, even in this case, the bend arm must be detached from and laterally spaced from the support arm to allow for the loading of the fabric sheet onto the fabric arm.

The Ray patent relates to a system for displaying a card or advertisement from the radiator cap of an automobile. Ray uses parallel clamping members with holes formed therein for placing the card between the parallel members and then inserting screws through the card (holes are formed in the card for receiving the screws) and through the two parallel members. Tightening the screws then acts to compress the card between the parallel clamping members. See page 2, lines 23-31.

The Ray patent does not describe or teach the presently claimed invention for displaying fabric sheets. In particular, independent claim 1 has been amended to further distinguish the Ray patent by requiring the rear end of the fabric arm to be fixedly attached to the support arm and further requiring that the bend arm is not fixedly attached to the support arm. As noted in the amended claim, this arrangement provides clearance for loading a fabric sheet between the fabric arm and the support arm (as shown in FIGS. 5-7). While dependent claim 4 further notes that the bend arm may be “selectively attached” to the support arm to help support the fabric arm, this selective attachment occurs after the fabric sheet has been loaded on the fabric arm. Furthermore, claim 4 has been amended to note that the bend arm is attached to the support arm in a manner that does not damage a fabric sheet already supported on the fabric arm. That is, contrary to the Ray patent where clamping screws are inserted through holes in the card in order to clamp the card between the opposing clamping members, the present invention supports the fabric sheet without “clamping” the sheet between the fabric arm and the support arm.

In light of the above amendments and remarks, reconsideration of the § 102(b) rejection of independent claim 1 is respectfully requested. Claims 2-6 and 12-14 depend on claim 1 and thus should be allowed for at least the same reason, namely that the Ray patent does not disclose or suggest all of the elements of claim 1.

Since the remarks above are believed to distinguish over the applied reference, any remaining arguments supporting the claim rejections are not acquiesced to because they are not addressed herein.

CONCLUSION

As originally filed, there were 20 claims, two of which were independent. As presently amended, there are 15 claims, only one of which is independent. It is believed that no further fees are due with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In view of the above amendments and remarks, it is believed that the application is now in condition for allowance, and such action is respectfully requested. If any additional issues need to be resolved, the Examiner is requested to telephone the undersigned to attempt to resolve those issues.

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Respectfully submitted,

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